

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

5

---

In re application of:	Cheryl L. Galante, et. al	Group Art Unit: 1617
10    Serial No.:	09/784,488	Examiner: Layla Soroush
Filed:	02/15/2001	Confirmation No.: 1716
For:	PERSONAL CARE PRODUCT	
Docket No.:	7144 (49930.8800)	

---

15

**RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF**

20    Board of Patent Appeals and Interferences  
      US Patent and Trademark Office  
      P.O. Box 1450  
      Alexandria, VA 22313-1450

25    Sir:

      Appellants respond as follows to the Notification of Non-Compliant Appeal Brief (PTOL-462) mailed June 29, 2009, the period for response which is hereby extended one (1) month to and including August 29, 2009:

30       • Replacement Sheet for Page-4 "IV – **STATUS OF CLAIMS**" is attached

      Appellants respectfully request the Examiner to replace Page-4 of Appellant's Appeal Brief filed on November 11, 2008 with this attachment.

35       If for some reason Applicants have not requested a sufficient extension and/or have not paid a sufficient fee for this response and/or for the necessary extension of time,

please consider this as authorization to charge Deposit Account No. 50-4219 for any fee which may be due.

Respectfully submitted,

5

Dated: August 6, 2009

By:



Paul A. Pappalardo  
Agent for Appellants  
Reg. No. 53,434

10

**The Dial Corporation**  
19001 N. Scottsdale Road  
15 Scottsdale, AZ 85255  
(480) 754-5705

#### IV. STATUS OF CLAIMS

- Claim 1 (rejected and **On Appeal**)
- Claims 2-4 (cancelled)
- 5 Claim 5 (rejected and **On Appeal**)
- Claim 6 (cancelled)
- Claims 7-9 (rejected and **On Appeal**)
- Claim 10 (cancelled)
- Claim 11 (rejected and **On Appeal**)
- 10 Claim 12 (cancelled)
- Claim 13 (rejected and **On Appeal**)
- Claims 14-15 (cancelled)
- Claim 16 (rejected and **On Appeal**)
- Claims 17-19 (cancelled)
- 15 Claims 20-21 (rejected and **On Appeal**)
- Claims 22-60 (cancelled)
- Claim 61 (rejected and **On Appeal**)
- Claim 62 (cancelled)
- Claim 63 (rejected and **On Appeal**)
- 20 Claims 64-65\* (cancelled) \*incorrectly recited as "64-69" in Applicant's Amendment dated 2/15/08
- Claims 66-67 (rejected and **On Appeal**)
- Claims 68-70 (cancelled)

Thus, a total of fourteen claims, Claims 1, 5, 7-9, 11, 13, 16, 20, 21, 61, 63, 66, and 67, are **On Appeal** in this case.